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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 REV. CALVIN WARREN,

9 Plaintiff,

10 v.

11 LAS VEGAS METROPOLITAN
12 POLICE DEPARTMENT, *et al.*,

13 Defendant.
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CASE NO.: 2:08-cv-00651-JCM-GWF

Date: N/A

Time: N/A

17 **ORDER**

18 Presently before the court is the report and recommendation of United States Magistrate
19 Judge George W. Foley (Doc. #3), filed on June 30, 2008.

20 On May 23, 2008, the court granted plaintiff's application to proceed *in forma pauperis*. (See
21 Doc. # 2). In that same order, the court dismissed plaintiff's complaint for failure to state a claim
22 and granted him thirty (30) days to file an amended complaint. (See *id.*, at 3:19–24). To date,
23 plaintiff has not filed an amended complaint.

24 On June 30, 2008, United States Magistrate Judge Foley issued the instant report and
25 recommendation (Doc. # 3), recommending that the court dismiss this action for failure to file an
26 amended complaint upon which relief may be granted. Pursuant to Local Rule IB-2, any objection
27 to a report and recommendation must be in writing and filed with the clerk of the court within ten
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1 (10) days. To date, plaintiff has not filed an objection. Accordingly,
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3 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that United States Magistrate
4 Judge Foley's report and recommendation (Doc. # 3) is AFFIRMED in its entirety. The instant
5 action is hereby DISMISSED **without prejudice**.

6 DATED July 17, 2008.
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UNITED STATES DISTRICT JUDGE
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